

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 83 4 1

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jorge GUZMAN-Munguia,

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF


21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about April 22, 2008, within the Southern District of California, Jorge GUZMAN-Munguia did knowingly and intentionally import approximately 31.54 kilograms (69.38 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Douglas Struckmeyer, Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 23rd
DAY OF April, 2008.


PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Jorge GUZMAN-Munguia

4 STATEMENT OF FACTS

5 This complaint is based upon the personal observations, investigation and
6 information provided to U. S. Immigration and Customs Enforcement Special Agent
7 Douglas Struckmeyer.

8 On April 22, 2008, Jorge GUZMAN-Munguia entered the United States at the
9 Calexico, California, West Port of Entry. GUZMAN was the driver and sole occupant of
10 a 2006 Mercedes B200 registered to another person.

11
12 Customs and Border Protection Officer (CBPO) J. Burgueno conducted a
13 primary inspection of GUZMAN and the vehicle. CBPO Burgueno received a negative
14 Customs declaration from GUZMAN. During the primary inspection, CBPO Burgueno
15 noticed that the vehicle's floor was higher than it should have been. He also noticed
16 that the rocker panel cover was loose. Based on his observations, CBPO Burgueno
17 referred GUZMAN to the secondary inspection area for further inspection.

18
19 CBPO L. Sanchez encountered GUZMAN in the secondary inspection area.
20 CBPO Sanchez also received a negative customs declaration from GUZMAN. During
21 the secondary inspection, CBPO Sanchez requested that Canine Enforcement Officer
22 (CEO) C. Randolph conduct a sweep of the vehicle with his Narcotic Detector Dog
23 (NDD). CEO Leon's NDD alerted to the rear floor of the vehicle, indicating the
24 presence of the odor of a controlled substance in that area.
25

26
27 CBPO Sanchez further inspected the area and found scratch marks on the floor
28 of the vehicle. She also noticed a heavy smell of bondo coming from the same area.
29

1 She referred the vehicle for an x-ray inspection. This inspection also showed
2 anomalies in the same area.

3 Further inspection of the vehicle revealed the presence of a non-factory
4 compartment built underneath the rear seats of the vehicle. A total of 26 packages
5 were found concealed within the compartment. The combined weight of the packages
6 was approximately 31.54 Kilograms (69.38 pounds). A sample taken from one of the
7 packages field tested positive for cocaine.
8

9 Special Agents (S/A) D. Struckmeyer and F. Gonzalez interviewed GUZMAN.
10 S/A Gonzalez provided GUZMAN with his constitutional rights per Miranda, with S/A
11 Struckmeyer present. GUZMAN orally waived his rights, as well as signing a written
12 waiver of rights, agreeing to make a statement.
13

14 GUZMAN told S/A Gonzalez that he owed approximately \$12,000 to a man
15 known as 'Negro' and that he was smuggling the controlled substance into the United
16 States for 'Negro' in lieu of payment. GUZMAN stated that this was the first of five
17 loads of controlled substances that he was supposed to smuggle into the United States
18 in order to satisfy his debt.
19

20 GUZMAN was arrested by ICE Agents for violations of 21 USC 952 and 960,
21 Importation of a Controlled Substance. GUZMAN was booked into the Imperial County
22 Jail, El Centro, California, pending an appearance in U.S. Magistrate Court.
23
24
25
26
27
28
29